

REMARKS/ARGUMENTS

Claims 1 and 30 have been amended. Claims 1-5, 8, 10 and 30 are pending.

Claims 1-4 and 30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 7,212,980 ("*Nakamura*") in view of U.S. Patent 6,542,870 ("*Matsumoto*"). In addition, claims 5, 8 and 10 were rejected under 35 U.S.C. § 103 as being unpatentable over *Nakamura* in view of *Matsumoto* and U.S. Patent No. 6,223,166 ("*Kay*").

Claim 1 has been amended to recite:

an infrared light receiving unit operable to receive use-permitting key information transmitted by infrared communication from an external mobile terminal having a wireless communication function, having an infrared ray communication function and operable to connect to a source of use permission over a network, wherein the use-permitting key information is acquired by the external mobile terminal from a source of use permission which transmits the use-permitting key information over a network, and wherein said contents of use limitations are derived from said use-permitting key information.

(Emphasis added). Accordingly, an electronic apparatus of claim 1 may include an infrared light receiving unit operable to receive use-permitting key information transmitted by infrared communication from an external mobile terminal, such as a mobile phone, where the external mobile terminal has an infrared ray communication function and is operable to connect to a source of use permission over a network, for example, via a browser function loaded on the external mobile terminal. (See specification, for example, at pg. 22, ln. 6-14). In addition claim 1 requires that the use-permitting key information is acquired by the external mobile terminal from a source of use permission, such as a server,

which transmits the use-permitting key information over a network. (See specification, for example, at pg. 23, ln. 6-9 and FIG. 7). Thus, advantageously in accordance with the invention of claim 1, "even in the case the apparatus [] is not provided with the function of connection" to a network, use-permitting key information may be received by the apparatus by infrared ray communication from an external mobile terminal, which is operable to connect to, and acquire the use-permitting key information from, a source of the use information over a network. (See specification, for example, at pg. 23, ln. 12-16).

The Examiner admitted that *Nakamura* does not disclose an infrared light receiving unit operable to receive information transmitted by infrared communication. (See Office Action, pg. 4, paragraph 8). In addition, *Nakamura* does not appear to disclose that use information may be acquired by an external mobile terminal operable to connect to a source of the use-permitting key information over a network, and where the acquired use-permitting key information is transmitted by infrared communication from the external mobile terminal and received at the infrared light receiving unit of the apparatus, as required by claim 1.

Matsumoto does not cure the deficiencies of *Nakamura* with respect to the requirements of claim 1, as described above. Although the applied portions of *Matsumoto* appear to disclose infrared communication of information from a remote commander 91 to a light receiving unit 21 (see *Matsumoto*, Col. 7, ln. 51-54), the applied portions of *Matsumoto* do not appear to disclose that the remote commander 91 is operable to connect to a source of use permission over a network and to acquire use-permitting key information transmitted from the source over the network, as

required by claim 1. In addition, although *Matsumoto* appears to disclose transmission of information to a recording/playback apparatus over a network (transmission line 3), the applied portions of *Matsumoto* do not appear to disclose that the use-permitting key information, which is acquired at an external mobile terminal over a network from a source of use permission, may be transmitted by infrared communication from the external mobile terminal and received at an infrared light receiving unit of the electronic apparatus, as required by claim 1.

Accordingly, it is respectfully submitted that claim 1 is distinguishable from the applied combination of *Nakamura* and *Matsumoto*.

For reasons similar to those previously described with regard to claim 1, it is also respectfully submitted that amended independent claim 30, which includes limitations corresponding to those of claim 1 discussed above, is distinguishable from the combination of *Nakamura* and *Matsumoto* applied by the Examiner.

Claims 2-4 depend from independent claim 1. Accordingly, it is also respectfully submitted that dependent claims 2-4 are distinguishable from the combination of *Nakamura* and *Matsumoto* as applied by the Examiner for at least the reasons described above regarding claim 1, and because of the additional restrictions claims 2-4 include.

In addition, claims 5, 8 and 10 depend from independent claim 1. As a result, claims 5, 8 and 10 are distinguishable from the combination of *Nakamura* and *Matsumoto* as applied by the Examiner for at least the reasons previously described for claim 1. In addition, the Examiner does not appear to rely on *Kay* to overcome the above-described deficiencies of *Nakamura* and *Matsumoto*. Accordingly, it is also respectfully submitted that

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dependent claims 5, 8 and 10 are distinguishable from the combination of *Nakamura, Matsumoto* and *Kay* applied by the Examiner for at least the reasons previously described for claim 1, and because of the further restrictions they require.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he telephone Applicants' attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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